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UNCLAS SECTION 01 OF 03 HANOI 001202

SENSITIVE

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SATE FOR EEB/ESC/IEC/ENR

STATE ALSO FOR T(MHUMPHREY), ISN/NESS (ABURKART, PMCNERNEY), ISN/RA (RBEISECKER) AND EAP/MLS

STATE PASS TO NUCLEAR REGULATORY COMMISSION (KFOGGIE, JMCLELLAND-KERR, SBURNS)

ENERGY FOR DOE/NE (EMCGINNIS, CWELLING), NNSA/NA-21 (SFRAZER, KAPT, DKOVACIC, SDICKERSON, IBOLSHINSKY, SMOSES, ABIENIAWSKI)

STATE FOR OGAC (AMBASSADOR GOOSBY AND JHOLLOWAY)

HHS/OSSI/DSI PASS TO HHS/OGHA (JMONAHAN/ACUMMINGS/MABDOO), NIH/FIC (RGLASS), SAMHSA, AND FDA (LVALDEZ)

USAID FOR ANE (CJENNINGS, MWARD) AND GH (KYAMASHITA, KHILL)

CDC FOR COGH (SBLOUT), CCID (MCOHEN), AND GAP (DBIRX, RJSIMONDS)

USTR FOR DBISBEE

FOR MLS/EAP MARC FORINO, ZEENAT SYED

STATE PASS TO EPA/OIA (MKASMAN AND KBUCKLEY) AND TO EPA/ORD (KTEICHMAN)

HHS/OSSI/DSI PASS TO OGHA/HHS (JMONAHAN AND ACCUMINGS)

CDC FOR CGH (SBLOUT), NCEH (TSINKS), NIOSH (MSWEENEY), AND NCBDDD (CBOYLE)

HHS/OSSI/DSI PASS TO FIC/NIH (RGLASS AND TCHUNG) AND NIEHS/NIH

E.O. 12958: N/A

TAGS: PHUM TBIO EAGR ENRG SENV CVIS ASEAN VM

SUBJECT: OOG Minister Phuc and Ambassador Discuss Human Rights, Biotech, and Nuclear Cooperation

REF: REF A: HANOI 873; REF B: HANOI 1084; REF C: HANOI 827

REF D: HANOI 1124

Sensitive but Unclassified. Please handle accordingly.

1. (SBU) Summary. The Ambassador expressed concern about the deteriorating human rights situation in an October 23 meeting with Minister Chairman of the Office of the Government (OOG) Phuc, but also noted positive areas of the bilateral relationship. The Ambassador urged the GVN to remove mandatory biotech labeling requirements in pending draft legislation and quickly approve a Joint Statement on civil nuclear power. Phuc gave no ground on human rights. He said the National Assembly (NA) would consider the U.S. position on mandatory labeling. The GVN would review the nuclear Joint Statement. Phuc asked for GSP status, requested more assistance on Agent Orange, and expressed willingness to work with the U.S. during Vietnam's Chair of ASEAN. Phuc agreed extending the validity of student visas was important and said he would discuss the issue with the MFA. End Summary.

2. (U) The Ambassador met October 23 with Nguyen Xuan Phuc, Minister Chairman of the GVN's Office of the Government to discuss bilateral issues.

Human Rights and U.S. Mission Staffing

3. (SBU) Noting his upcoming travel to Washington, the Ambassador said there was growing U.S. concern, including in the Congress, with GVN backsliding on human rights. Vietnamese actions on human rights, including the Bat Nha pagoda (Ref A), convictions of political activists (Ref B), and Decree 97 (Ref C) contradicted senior GVN officials' statements desirous of improved bilateral relations. The GVN's unwillingness to approve U.S. Mission staffing increases also was out of step. At the same time, Deputy Prime Minister Khiem's recent U.S. visit had gone well and military, development assistance, and economic and trade ties were improving. The Ambassador said this mixed picture would color his Washington discussions.

4. (SBU) Phuc responded that bilateral relations were excellent and the GVN wanted to improve them further. In November two Deputy Prime Ministers would visit the U.S. at the same time - a first. He encouraged a Secretary of State or Presidential visit in 2010. There was good cooperation on sensitive areas of defense and GVN administrative reforms and the GVN hoped for additional progress on trade, economic development, and tourism. On human rights, Phuc replied in familiar terms. Vietnam had its own specific circumstances and was moving on the road to human rights and democracy. People enjoyed more economic freedom than ever before. The GVN had to maintain law and order and the U.S. Congress's recent passage of a Vietnam human rights resolution was "unfortunate." Bat Nha was a dispute between two Buddhist groups that the two groups should settle. Thousands of new pagodas were being built throughout the country. Decree 97 was simply part of the implementation of a science and technology law passed by the NA and the GVN was reviewing the issue of which organizations would be affected by the Decree.

5. (SBU) Phuc said he understood the need for additional U.S. Mission staffing as bilateral relations deepened. MFA had been directed to respond soon to U.S. requests. (Note: We continue to press MFA and other agencies, including MPS, to resolve the issue following DPM Khiem's comment during his meeting with the Secretary that staffing "no longer would be a problem." End note.)

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Biotech Labeling Requirement

16. (SBU) The Ambassador expressed concern about draft legislation pending before the NA that required mandatory labeling of products containing genetically modified organisms. He reviewed the arguments contained in a recent letter he had sent to Phuc on this issue. Biotech products were safe. The legislation would negatively affect food and agricultural trade, raise costs for Vietnamese food processors, consumers, and government authorities. It would also harm Vietnam's nascent biotechnology program at a time when both global food requirements were rising and climate change could negatively affect crop production, including in Vietnam. The Ambassador requested the GVN to remove the mandatory labeling requirement from the draft legislation.

17. (SBU) Phuc responded that he agreed that a labeling requirement would increase costs for producers and consumers. The GVN was listening closely to U.S. views and the NA's Science and Technology Committee was looking closely at the Ambassador's letter. The GVN was committed to handling this issue consistent with international practice and its international commitments.

Civil Nuclear Power Cooperation

18. (SBU) The Ambassador reviewed current bilateral efforts on civil nuclear cooperation and urged the GVN to quickly review and approve the Joint Statement on Civil Nuclear Power and Security which was paired with the Nuclear Cooperation MOU. The Ambassador welcomed the related news that Prime Minister Dung on October 21 (Ref D) had signed the decision document authorizing the GVN to move towards full conversion of the Dalat nuclear research reactor to low enriched uranium. These steps would allow consideration of a 123 nuclear agreement that would permit greater civil nuclear power cooperation. Phuc responded that the GVN would review the Joint Statement positively. He said that the PM's approval of the Dalat nuclear conversion showed Vietnam's serious commitment towards cooperation with the U.S. on nuclear non-proliferation. The GVN wanted to work with the U.S. to develop its civil nuclear power sector.

PEPFAR and Other Bilateral Issues

19. (SBU) The Ambassador also asked Phuc, given the multiple agencies involved in the GVN, to name an OOG contact point for cooperation on developing the PEPFAR 5-year Partnership Framework agreement. Phuc replied that the GVN appreciated the PEPFAR effort and intended to work closely with the Embassy on the 5-year strategy. He noted that the Ministry of Health (MOH) is the designated POC for the GVN related to HIV/AIDS, and the OOG has a small division related to the issue. The Embassy should send a letter to the OOG if it wanted to change the current main POC from the MOH to OOG.

110. (SBU) Phuc said that the two sides had discussed the Agent Orange (AO) problem in Danang since 2007 and the U.S. had allocated \$3 million dollars but without result. The Ministry of Defense said \$40 million was required to solve the AO problem. The GVN also wanted to work closely with the U.S. during its ASEAN Presidency in 2010. It hoped the U.S. would provide GSP status and resolve the catfish issue in a manner favorable to Vietnam. Phuc said the GVN continued to want to establish an agriculture Working Group under the Trade and Investment Framework Agreement talks. The GVN would also do its best to approve major U.S. company commercial deals, such as Boeing aircraft and AES's proposed power

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project.

111. (SBU) The Ambassador corrected Phuc's description of the status of AO cooperation, noting that \$6 million has been obligated and remediation work was underway at Danang. Progress has been made and additional funding might be forthcoming from the Ford Foundation. In closing, the Ambassador asked for Phuc's cooperation on extension of student visa validity, currently set at one year because of Vietnamese restrictions, to five or ten years. Phuc said he agreed that longer validity was important and would ask MFA to consider this issue.
Palmer